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**CENTRAL FAX CENTER****APR 27 2006****FAX TRANSMISSION****DATE:** April 27, 2006**PTO IDENTIFIER:** Application Number 10/616537-Conf. #1933  
Patent Number**Inventor:** Teruaki KOMIYA**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano

**PHONE:** (617) 227-7400**Attorney Dkt. #:** TOW-032**PAGES (Including Cover Sheet):** 5**CONTENTS:** Response to Restriction Requirement (without Traverse) (2 page)  
Transmittal (1 page)  
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PTO/SB/97 (09-04)

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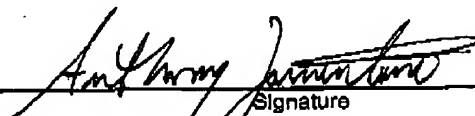
Application No. (if known): 10/616537

Attorney Docket No.: TOW-032

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**APR 27 2006**

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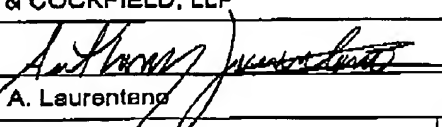
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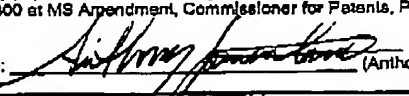
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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	10/616537-Conf. #1933
	Filing Date	July 9, 2003
	First Named Inventor	Teruaki KOMIYA
	Art Unit	1745
	Examiner Name	L. S. Weiner
Total Number of Pages in This Submission	Attorney Docket Number	TOW-032

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Anthony A. Laurentano		
Date	April 27, 2006	Reg. No.	38,220

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 at M9 Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
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Docket No.: TOW-032  
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Dated: April 27, 2006

Signature: 

(Anthony J. Laurentano)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Teruaki Komiya

Application No.: 10/616537

Confirmation No.: 1933

Filed: July 9, 2003

Art Unit: 1745

For: **PROTON CONDUCTIVE SOLID POLYMER  
ELECTROLYTE**

Examiner: L. S. Weiner

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Restriction Requirement mailed on March 29, 2006.

The Examiner has required restriction among each of the following groups of species of the claimed invention in the above-identified application:

A) For the basic polymer: polymer of Formula (1), polymer of Formula (2), polymer of Formula (3), polymer of Formula (4), and polybenzimidazole.

B) For the material that has at least one lone pair: a compound having nitrogen-containing heterocyclic compound group, a compound having amino group, a compound having imino group, and a nitrogen-containing heterocyclic compound.

Accordingly, Applicant hereby elects polybenzimidazole as the basic polymer and a nitrogen-containing heterocyclic compound as the material that has at least one lone pair. Applicant further elects a proton conductive solid polymer electrolyte including

Application No.: 10/616537

Docket No.: TOW-032

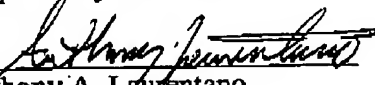
polybenzimidazole as the basic solid polymer with the material as imidazole, as a single disclosed species. Claims 4, 7, 13, and 14 are readable on this species. Claims 1-3, 5, and 6 are generic to all species. Applicant respectfully notes that all of these claims are readable on the elected species.

If further issues persist, or the Examiner has any questions regarding this communication, please call Applicants' representative at the number set forth below.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. TOW-032 from which the undersigned is authorized to draw.

Dated: April 27, 2006

Respectfully submitted,

By   
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